

June 14, 2010

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Pro Tem Curtis presiding. Mayor Tucker was not present. Others attending were Board members Askren, Hoehn and Higgins; Attorney Higgins; Supt. Gray; Chief Beloat; Chief Waters; Cecil Waters; Judy and David Whitten; Lorelei Barnes; Jeff See – Aventine; Larry Williams; Ron and Ginger Greenfield and other members of Posey Green Group; Pam Robinson – Posey County News; Corey Woolsey – Mount Vernon Democrat; and arriving during the meeting Comm. Maynard.

Mayor Pro Tem Curtis called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board member Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Askren.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Pro Tem Curtis requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board Member Hoehn.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Pro Tem Curtis stated they will now hear the report of the Water Supt.

Supt. Gray reported, weather permitting, work on the Mulberry Tower will start this week. He reminded Board the tower would be power washed and painted, rolled, not sprayed, in order to eliminate as much overspray as possible.

Water Chairwoman Askren stated she has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Mayor Pro Tem Curtis asked if the Clerk-Treasurer had Communications for the Board ? Clerk-Treasurer Sitzman replied not at this time.

Mayor Pro Tem Curtis asked if there were any Legals for consideration ?

Comm. Maynard arrived at the meeting.

Attorney Higgins stated the Aventine water agreement is ready for final approval. She added the sewer agreement with Aventine was approved at the last Board of Works meeting, and Aventine is present tonight with their completed water agreement. She reminded Board that Aventine approached the city about 2 ½ years ago requesting water and at that time, the water department made certain improvements in order to supply

Aventine with the required water, and at this time, the water department can supply their required supply of water. She added that part of their agreement was that Aventine would reimburse the water department \$500,000 to help offset the cost of the improvements that needed to be made in order to supply their needs. She then asked if there were any questions ?

Mr. See stated he would like to thank the Board for this agreement and Aventine is looking forward to plant completion and being a good corporate citizen.

Attorney Higgins added Aventine has signed the agreement, which is the same standard agreement for all customers outside of the city limits, though fine tuned to each individual need. She added they will require a 12" line and their required capacity is 1.5MG/day. She then stated besides the \$500,000 payment, they will also be required to pay the standard tap fee of \$2,800, based on the size of the line requested.

Board member Hoehn moved the agreement be approved with Aventine, max capacity of 1.5MG/day, and that the Board graciously accept the \$500,000 check presented by Mr. See. Seconded by Board member Askren.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Board voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Mr. See left the meeting.

Mayor Pro Tem asked if there were any other Legals ?

There were none.

Mayor Pro Tem Curtis asked if anyone in the Audience wished to address the Board ?

Ms. Barnes approached and stated she would like to request a water adjustment on one of her rental properties, located at 409 E. 2nd Street. She stated on May 19 she was made aware of a leak as the bill normally runs between \$40 and \$65, it jumped to \$217.82. She then stated the leak was fixed, so she thought, but the next bill she received was \$1,312.25. She then called someone in to check it again and it was found that she had a faulty toilet flapper. It has been fixed and the paper work has been turned in to the water department.

Supt. Gray added it is a legitimate leak but Ms. Barnes has already had one adjustment which is why she needed to come before the Board.

Board member Hoehn asked if she has received a normal bill yet ?

Ms. Barnes replied not yet.

Board member Hoehn then moved Ms. Barnes' billing be adjusted for 409 E. 2nd Street, after she has received a normal billing to ensure the leak has been fixed. Seconded by Board member Higgins.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Ms. Barnes thanked the Board and left the meeting.

Mayor Pro Tem Curtis asked if anyone else in the Audience wished to address the Board?
There was no response.

Mayor Pro Tem Curtis asked if there was any Old Business ?
There was none.

Mayor Pro Tem Curtis asked if there was any New Business ?
There was none.

Mayor Pro Tem Curtis stated if there was no further business, he entertains a motion to adjourn.

Board member Askren moved the meeting be adjourned. Seconded by Board member Higgins.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

Bill Curtis
Mayor Pro Tem

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Pro Tem Curtis presiding. Mayor Tucker and Councilman Fuelling were not present. Others attending were Council members Askren, Hoehn and Higgins; Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Cecil Waters; Judy and David Whitten; Larry Williams; Ron and Ginger Greenfield and other members of Posey Green Group; Pam Robinson – Posey County News; Corey Woolsey – Mount Vernon Democrat; and Comm. Maynard.

Mayor Pro Tem Curtis called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilwoman Hoehn moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Higgins.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Pro Tem Curtis stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Hoehn stated she has no report.

Comm. Maynard stated he has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Police & Dog Chairman Fuelling was not present.

Chief Beloat stated he has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Fire Chairman Curtis reported 45 runs since their last meeting.

Chief Waters stated he has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report.

Mayor Pro Tem Curtis asked if there were any questions ?

There were none.

Mayor Pro Tem Curtis stated they have the Financial Report for May before them and any questions could be directed to Clerk-Treasurer Sitzman.

Mayor Pro Tem Curtis asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Sitzman replied she received settlement today of 09 pay 10 property taxes, and as of now, they are current, with no outstanding TAW's or inter-department loans.

Mayor Pro Tem Curtis stated they are ready for the Legal portion of the Agenda.

Attorney Higgins stated they are ready for the final reading of the Ordinance placing a four-way STOP at the intersection of Sherman and Locust.

Councilwoman Higgins asked if Chief Beloat spoke with the neighbors ?

Chief Beloat replied he did speak with all of them and they are all in favor of the stop sign, as proposed.

Councilwoman Higgins moved the Ordinance to Amend the City of Mt. Vernon Code of Ordinances, Title VII-Traffic Code, Chapter 74-Traffic Schedules-Schedule I-STOP Intersections, be approved on final reading. Seconded by Councilwoman Askren.

Mayor Pro Tem Curtis asked if there was any discussion ?

There was none.

Mayor Pro Tem Curtis requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;

Higgins – yes.

Mayor Pro Tem Curtis stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 10-09.

Mayor Pro Tem Curtis stated Posey Green Group is in the Audience.

Ron Greenfield stated he lives at 523 College and he is present to discuss litter. He then stated today being Flag Day, he is waving the red flag on litter in the county as well as the city. He stated the county is in bad shape and the city is in really bad shape due to littering. He added there are McDonald's bags, plastic bags, REFRIGERATORS, etc., lying around everywhere and it seems people have lost their enthusiasm for their own property as well. He then stated the fast food restaurants in town are doing very well, as folks consume their food, throw it out, and move on. He then handed Council photos of his neighborhood, including the library area. He added his wife walks all over town all of the time and she indicates there are problems all over town with littering. He stated when it ends up in folks' yards, it usually then ends up being shredded by a lawnmower as well. Mr. Greenfield continued by stating the library is a big mess between the trash cans that are overflowing to the state of the gazebo. He stated trash stays in their cans for weeks and he hears the Park & Rec Dept may take over the maintenance there, hopefully that will help. He stated lots of things happen at night over there as when morning comes the trash is visible, everything from probably drug paraphernalia to dirty diapers. The sad thing is, it stays littered for weeks on end. He added he read in the city code that there is a \$115 fine for littering from a vehicle and wondered if that is being enforced. He then stated he can imagine that it is hard for the street sweeper to get down some of the streets due to the litter, and more than likely it is also stopping up the sewers, which could result in pumps being fouled at the sewer plant. He added the gutters and curbs are filled with debris from fast food drive-thrus. He continued by stating the trash man could not begin to pick it all up, he would never get it all and he has noticed folks taking their trash out to the barrels days before their scheduled trash pick up day. He further stated plywood with a weight on top could serve as a lid for a 55 gal trash barrel, and it should be utilized. He added the county is even worse shape, and the Posey Green Group will be addressing the County as well at a later date. He urged folks to take care of their neighbors, take care of their own property and take their trash home.

Mr. Greenfield stated they are working on an Anti-Littering Campaign with highlights of trying to connect with law enforcement – he has talked with Chief Beloit about trying to get the names of those that are seen littering and publish that in the newspaper; be tough on the fines that are imposed and educate the public on the health dangers of littering. He added folks need more civic pride and he even offered to distribute flyers promoting a cleaner town. He stated they have 100 names currently on a petition, though some of those listed live in the county. He then stated he has talked with Comm. Maynard, Supt. Givens, and Chief Beloit about this and they all want to see change too and catch the evil doers.

Comm. Maynard stated the catch basin can become an issue during storms if they are cluttered up with litter, the streets can flood. He then urged folks to keep the catch basins in front of the homes cleaned out.

A member of Posey Green Group asked if the fines are set by the City, the State, etc. and could the fine be raised ? That might make folks think twice.

Attorney Higgins replied when a chapter is cited, like 52.03 for example, that is a city ordinance issue and this body sets the fine up to \$250.00 per offense, or up to \$2,500.00 per offense based on the category. She further stated ordinance violations go to superior court and the judge will then set the fine. She stated other fines are set by the state.

Mr. Greenfield stated Supt. Givens didn't really have any major issues but did admit that sometimes pumps have fouled due to plastic.

Comm. Maynard again stated it really helps when folks remove debris from the catch basins in front of their homes.

Mayor Pro Tem Curtis stated he believes everyone can agree that the litter situation is bad, and it is now and has always been an issue. He added unfortunately we live in a throw-away world and possibly education at an early age would be the way to go. He then stated it appears Mr. Greenfield has already spoken with all the departments within the city that would be affected by littering, but as for catching a litterbug, that would be fairly difficult and hard to prosecute, though Chief Beloit would know better than he.

Councilwoman Hoehn asked if there is currently an ordinance already in effect that may just need more enforcement ?

Attorney Higgins replied there is already an ordinance on the books about littering. She stated if someone sees someone litter, the police department is the agency to handle that. But, she continued, if someone's property, backyard, etc. is a mess, that would fall under Comm. Maynard's department and a notice would be sent and that could eventually end up in court.

Councilwoman Hoehn stated then it appears the judge already has the authority to fine. Attorney Higgins agreed.

Mr. Greenfield stated this has really been an issue at the library for the past three years and he has notified their board numerous times via phone calls and letters, but gets nothing. He stated he and his wife used to go out Sunday mornings and walk around the library and pick up trash to help them out some, but they do not anymore.

Mayor Pro Tem Curtis stated the library is, of course, separate from the city. He then stated he appreciates Mr. Greenfield's interest and for bring this to the Council's attention.

A member of the Posey Green Group then asked who would be the person responsible for starting a task force for this situation ? She wondered if members of the community could do that as she was told they could maybe get grants.

Mayor Pro Tem Curtis suggested they talk with Mayor Tucker when he returns and see what he can do.

Attorney Higgins added the mayor can authorize a committee, but at that point, the committee would be subject to meetings being held under the guidelines of Indiana's Open Door Law. She then stated or, individuals just get together to brainstorm and then those idea could be brought before the Board of Works or the Council.

Councilwoman Hoehn stated if they put a notice in the paper maybe interested folks would then contact them and she is certain Mayor Tucker could point them in the direction of a good grant writer, etc.

Mayor Pro Tem Curtis thanked Mr. Greenfield and the Posey Green Group to coming and asked if there were any other comments ?

There were none.

Mayor Pro Tem Curtis asked if anyone else in the Audience wished to address the Council ?

There was no response.

Mayor Pro Tem Curtis asked if there was any Old Business ?

There was none.

Mayor Pro Tem Curtis asked if there was any New Business ?

There as none.

Mayor Pro Tem Curtis stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Fuelling was not present.

3rd District Councilwoman Hoehn stated she has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated the Ohio River Sweep is Saturday, June 19, 2010 at 8:30 a.m. with locations at the riverfront, New Harmony, and Hovey Lake.

Mayor Pro Tem Curtis stated if there was no further business, he entertains a motion to adjourn.

Councilwoman Higgins moved the meeting be adjourned. Seconded by Councilwoman Askren.

Mayor Pro Tem Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

Bill Curtis
Mayor Pro Tem

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer